



Eric Hall

04/27/2004 10:25 AM

To: "davis.betsy@epamail.epa.gov" <davis.betsy@epamail.epa.gov>, Toni Bandrowicz/R1/USEPA/US@EPA, Brian Pitt/R1/USEPA/US@EPA, Roger Janson/R1/USEPA/US@EPA

cc:

Subject: Re: FW: Brockton Permit

Here are the DEP comments with the font changed to a readable form.

Eric

"Hamm, Jack (DEP)" <Jack.Hamm@state.ma.us>



"Hamm, Jack (DEP)"
<Jack.Hamm@state.ma.us>

04/27/2004 09:49 AM

To: "davis.betsy@epamail.epa.gov" <davis.betsy@epamail.epa.gov>
cc: Toni Bandrowicz/R1/USEPA/US@EPA, Eric Hall/R1/USEPA/US@EPA
Subject: FW: Brockton Permit

Try this version.

-----Original Message-----

From: Hamm, Jack (DEP)

Sent: Monday, April 26, 2004 6:54 PM

To: 'davis.betsy@epamail.epa.gov'

Cc: Toni Bandrowicz (Bandrowicz.Toni@epamail.epa.gov); Eric Hall (Hall.Eric@epamail.epa.gov); Hogan, Paul (DEP); Haas, Glenn (DEP); DeLorenzo, David (DEP); Burns, David (DEP); Mahin, Thomas (DEP); Lyberger, Ronald (DEP)

Subject: Brockton Permit

Hi Betsy: I have a couple of comments on the draft Brockton permit that was sent out. I focused my review mainly on the flow issue since this is what I have been principally involved with recently.

In the permit, Footnote #3 reads: **Flows outside of the City of Brockton are limited to 1 MGD from the Town of Abington and 1 MGD from the Town of Whitman. The permittee shall not accept any additional sewer connections or increased flow from any other community.**

Brockton currently serves a number of facilities outside the Brockton city limits and Whitman and Abington. They include Stonehill College in Easton, Wal-Mart in Avon, some residential homes in Avon, Goddard Medical Center in Stoughton and some services in West Bridgewater. I have a concern with the permit language as written in that it effectively imposes a no expansion of existing facilities that are presently connected to the sewer, in effect a sewer moratorium for these facilities. A strict interpretation of the language could prohibit a connected home from adding another bedroom since flow would be necessarily increased, or allowing Goddard Medical Building from getting a building permit for a use that would require a greater wastewater generation use than is currently being used; or preventing Stonehill college from adding an additional building on their campus and connecting to the sewer now serving their property. The impact to Stonehill college is of significant concern as the Town of Easton is finding Stonehill College as the only willing participant in allowing the town to

explore their property for a possible groundwater discharge site as part of their ongoing CWMP evaluations. The Stonehill site is also one of the more promising sites. If Stonehill College is prevented from adding any new facilities to their existing sewer service then I would suspect that they will withdraw any support of their property for use in a town wide solution to reserve the space for their own use should they decide they need additional wastewater disposal capacity in the future. I would recommend that the second sentence in Footnote #3 be modified or eliminated to allow existing connected facilities to increase their flow.

I wish to relate a discussion I had with Roger Jansen at a conference recently about the flow expansion issue in Brockton. I pointed out that there may be a few discrete areas in towns abutting the Brockton system where an argument could be made to connect them to the Brockton system due to cost effectiveness issues driven in large part due to the lack of a viable solutions in their own community. These areas are currently being evaluated in ongoing planning studies being conducted by these towns. Roger noted that maybe the permit condition could be structured to allow a community to purchase from the remaining uncommitted flow in Abington or Whitman a volume of flow to allow a critical area in another town to be connected to the Brockton system. I offer this as a thought. I have been told by the Easton Wastewater Advisory Committee that they will be writing to comment on the draft permit. I suspect they will be looking for some flexibility.

The second area that I would recommend modifying is in section E., **OPERATION AND MAINTENANCE OF THE SEWER SYSTEM**, part 3. Infiltration / Inflow Control Plan: **The permittee and co-permittees shall develop and implement plan to control infiltration and inflow (I/I) to its sewer system. The plans shall be submitted to EPA and submitted to MA DEP within six months of the effective date of this permit (see page 1 of this permit for the effective date) and shall describe the permittee's and co-permittee's programs for preventing infiltration/inflow related effluent limit violations, and all unauthorized discharges of wastewater, including overflows and by-passes due to excessive infiltration/inflow.**

Brockton has two very distinct problems with high flow: one is the infiltration issue which is critical for them to address since they want to reclaim some plant capacity through infiltration reduction to allow for minor expansions of their own sewer system and the second is the inflow issue that their studies conclude must be reduced by upwards of 17mgd to allow the upgraded plant to meet permit. The August 2000 SSES report focusing heavily on the infiltration issue with some, albeit limited discussion on the inflow problem and solutions. As part of the ongoing administrative order process, I was pushing for the city to advance the inflow solution more aggressively. To push this along further, I would recommend that the city be required to produce two separate plans:: one addressing the infiltration issue and the second addressing the inflow issue. By requiring them as separate plans will encourage the city to consider and present each program separately. Allowing them to combine them into a single plan provides them the out to focus heavily on one area while downplaying the other. This has been the past history and should be expected unless they are required to address each issue separately.

The draft permit includes the following permit condition relative to complying with the

new phosphorus limits. As you know the city is proceeding with the upgrade of the plant to allow it in part to meet these new permit limits. The city studied and evaluated the improvements needed to be undertaken and presented a schedule for implementing them. The schedule that DEP (and I feel EPA) has agreed to will not allow the city to achieve compliance with this permit schedule. Seems that some acknowledgement that they are unlikely to comply although they are implementing an approved plan and we already know it would be appropriate.

B. SCHEDULE OF COMPLIANCE The phosphorus limits are new limits. The permit allows a compliance schedule of one year from the effective date of the permit for the permittee to come into compliance with these new limits.

Therefore, for the first year, the permittee will report only the phosphorus concentration and mass while working towards meeting the limits.

Regards Jack

617-292-5883
617-292-5850 fax

MA DEP
1 Winter St-5th Fl.
Boston, MA 02108

FOR USE IN INTER_AGENCY POLICY DELIBERATION